



झारखण्ड गजट

असाधारण अंक

झारखण्ड सरकार द्वारा प्रकाशित

19 आश्विन , 1943 (श०)

संख्या-527 राँची, सोमवार,

11 अक्टूबर, 2021 (ई०)

कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग।

संकल्प

28 सितम्बर, 2021

संख्या-1/आ०-543/2018 का०-6081--श्री उमेश प्रसाद सिंह, सेवानिवृत्त भा०प्र०स० (झा.2002), तत्कालीन अनुमण्डल पदाधिकारी, देवघर, के विरुद्ध विभागीय पत्रांक-1138 दिनांक 06.02.2019 के द्वारा अनुमण्डल पदाधिकारी, देवघर के रूप में पदस्थापन अवधि में बरती गयी निम्न अनियमितता के आरोप पर सी०बी०आई०, ए०सी०बी०, धनबाद से प्राप्त केस संख्या-आर.सी.-16-ए-2012-डी (देवघर लैंड स्कैम) से सम्बन्धित अनुशंसा एवं साक्ष्यों की प्रति संलग्न करते हुए निम्नलिखित बिन्दुओं पर पूर्ण स्पष्टीकरण उपलब्ध कराने का अनुरोध किया गया :-

- (a) That, while posted and functioning as Sub Divisional Officer, Deoghar during December 2005 to October 2008 you have committed grave misconduct in as much as a complaint regarding illegal sale of non-transferable land in Bandha mauza by Dhrub Naravan Parihast and his mother Maheshwari Devi through fake and fabricated papers related to LA cases was received in September 2006 by you and you had sought explanation from Dhrub Naravan Parihast vide your letter no.653/go dated 15.09.2006.
- (b) That, while posted and functioning as Sub Divisional Officer, Deoghar you have committed grave misconduct in as much as a written explanation dated 19.09.2006 from Dhrub Narayan Parihast vide his letter no.669/go. Dated 25.09.2006 you declared

that the land in question was Basauri in nature and the same was rightly owned by Smt. Maheshwari Devi, mother of Dhrub Narayan Parihast.

(c) That, while posted and functioning as Sub Divisional Officer, Deoghar you have committed grave misconduct in as much as you vide your letter no.669/go dated 25.09.2006 declared the nature of land in question as Basauri (transferable) and confirmed that land was acquired in favour of father of Smt. Maheshwari Devi. In your report dated 25.09.2006 you had mentioned about Misc. Case No.26/83-84 dated 23.01.1984 of Dy. Commissioner, Deoghar and Mutation Case No.279/83-84 dated 11.02.1986 of SDO Deoghar for substantiating the claim of Maheshwari Devi and Dhrub Narayan Parihast.

2. श्री सिंह से प्राप्त स्पष्टीकरण को अस्वीकृत करते हुए इनके विरुद्ध 10 प्रतिशत पेंशन कटौती के प्रस्ताव पर भारत सरकार की सहमति हेतु संचिका एवं प्रस्ताव भेजा गया था जिसके आलोक में भारत सरकार द्वारा मामले की समीक्षा अखिल भारतीय सेवाएँ (मृत्यु-सह-सेवानिवृत्ति लाभ) नियमावली, 1998 के नियम-6(1)(बी) के संदर्भ में करते हुए निम्नवत्त observation की गयी :-

“ The matter has been perused and prima-facie following observations have been noted :-

- (i) the officer superannuated on 31.01.2017;
- (ii) according to draft charge-sheet the period of misconduct is of 2005-2008;
- (iii) in this case departmental proceedings were not initiated by the State Government while the pensioner was in service till his superannuation and now as per Rule 6 of AIS (DCRB) Rules, 1958, disciplinary proceedings cannot be initiated as it is in respect of an event which took place more than four years ago.

As the present matter appears to be time-barred, it has been decided with the approval of the Competent Authority to return the proposal received vide letter dated 14.12.2020.”

उपर्युक्त परिप्रेक्ष्य में कार्मिक और प्रशिक्षण विभाग, भारत सरकार, नई दिल्ली द्वारा अखिल भारतीय सेवाएँ (मृत्यु-सह-सेवानिवृत्ति लाभ) नियमावली, 1958 के नियम-6 के अनुसरण में कालबाधित मानने एवं प्रस्तुत मामले में प्राप्त विधिक मंतव्य के आलोक में श्री उमेश प्रसाद सिंह, सेवानिवृत्त भा.प्र.से., तत्कालीन अनुमण्डल पदाधिकारी, देवघर के विरुद्ध राज्य सरकार के द्वारा लिये गये 10 प्रतिशत पेंशन कटौती के निर्णय को रद्द किया जाता है।

झारखण्ड राज्यपाल के आदेश से,

विनोद कुमार,
सरकार के अवर सचिव ।
